

REMARKS/ARGUMENTS

Claims 1-22 and 24-25 remain pending in the application, as claim 23 has been previously canceled without prejudice. In the Office Action, claims 1-5, 8-10, 16-19, 20 and 21 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0190467 to Liu, et al (Liu). In addition, claims 22, 24 and 25 were rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No. 6,192,230 to van Bockhorst, et al. (van Bockhorst) in view of Liu. Finally, claims 6, 7, 11-13, 15 and 24-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of U.S. Patent Application Publication No. 2004/0013135 to Haddad (Haddad).

Independent claim 1 recites the step of receiving a beacon transmission from the access point that includes first information that corresponds to times when other subscriber units are proposing to utilize the shared wireless communication resource. Independent claims 8 and 16 recite similar subject matter. Applicants note that the times in the first information in the beacon transmission are times that are proposed by the subscriber units. This process reduces the chances of collisions but relieves the access point of the computational and resource burden of administering scheduled transmission/receipt times.

In contrast, the access point in Liu sets the schedule that is included in the SIV frame (see Abstract, lines 7-9: "The access point originates and transmits the SIV frame protocol of the scheduled wake-up time for the identified station; see also paragraph 0083, lines 1-2: "Following the beacon frame, the AP will schedule the power saving traffic . . ."; see also paragraph 0094, lines 5-7: "To be more specific, the AP will ignore the pre-schedule and perform scheduling appropriate to the new situation.). Moreover,

Liu never mentions anything about the subscriber units transmitting proposed scheduling times to the access point.

Independent claim 22 has been amended to clarify that the memory stores from time to time a plurality of proposed times received from the access point at which other subscriber units have proposed to utilize the shared wireless communication resource. Support for the amendment can be found in paragraph 0021. No new matter has been added. Claim 22 also recites that the memory stores from time to time a second scheduled time at which the controller will cause the transceiver to receive data as transmitted by the access point.

Applicants submit that the master station of van Bokhorst is not an access point, at least as that term is understood by one of ordinary skill in the art. Moreover, even if one were to believe that the master station is indeed an access point (incorrectly, as proposed by Applicants), the master station merely broadcasts synchronizing messages (PSYNC) if a group of mobile stations act as an ad-hoc network (see Abstract and col. 7, lines 15-24 and lines 59-64). That is, the master station does not transmit scheduling information from one mobile station to another mobile station, as the peer-level traffic indicator (PTIM) messages are transmitted directly and only between mobile stations that have data to exchange (see col. 8, lines 46-60 "If [the station] has a long message or a plurality of messages to transmit, it sends PTIM . . . messages to all the stations that it wishes to transmit to . . ."; see also col. 9, lines 33-39).

In view of the above, Applicants believe that independent claims 1, 8, 16 and 22 are patentable over the prior art. Applicants also believe that those claims that depend from these independent claims are now patentable, in view of both their dependence from these claims and their independent patentability. Reconsideration and withdrawal

of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

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SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department – MD 1610
8000 W. Sunrise Blvd.
Plantation, FL 33322

Customer Number: 24273

By: /Larry G. Brown/
Larry G. Brown
Attorney of Record
Reg. No.: 45,834

Tel: (954) 723-4295 direct line
Tel: (954) 723-6449 main line
Fax No.: (954) 723-3871